

EXHIBIT A

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

DONALD KROEKER

Plaintiff,

Case No. 24-

-CD

v.

Hon.

TWB COMPANY, LLC,
a limited liability company,

Defendant.

Batey Law Firm, PLLC
SCOTT P. BATEY (P54711)
Attorneys for Plaintiff
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Bingham Farms, Michigan 48025
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sbatey@bateylaw.com

There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this Complaint pending in this Court nor has any such action previously been filed and dismissed or transferred after having been assigned to a Judge.

COMPLAINT AND JURY DEMAND

NOW COMES, Plaintiff, Donald Kroeker, by and through her attorney's Scott P. Batey and the Batey Law Firm, PLLC, and for her Complaint against Defendant, states as follows:

24-005424-CD FILED IN MY OFFICE Cathy M. Garrett WAYNE COUNTY CLERK 4/12/2024 10:40 AM Laverne Chapman

1. Plaintiff, Donald Kroeker is a resident of the City of Detroit, County of Wayne and State of Michigan.

2. Defendant, TWB Company, LLC (hereinafter “TWB”) is a limited liability company whose Resident Agent is The Corporation Company whose address is 40600 Ann Arbor Rd. E., Site 201, Plymouth, Michigan 48170 and is duly authorized to do business in the County of Wayne, State of Michigan.

3. The events that gave rise to this lawsuit occurred in Wayne County, Michigan.

4. The amount in controversy exceeds \$25,000.00, exclusive of interest and costs, and jurisdiction and venue is otherwise proper in the County of Wayne.

5. Plaintiff brings her action for damages stemming from the acts and/or omissions of Defendant constituting violations of the Michigan Whistleblowers Protection Act which resulted in emotional and economic damages to Plaintiffs.

GENERAL ALLEGATIONS

7. Plaintiff incorporates by reference paragraphs 1 through 6 of the Complaint as though fully set forth herein.

8. Plaintiff was employed with Defendant, TWB as a material hand lift operator.

9. Part of Plaintiff's job responsibilities is to identify issues.

10. Plaintiff identified several safety concerns he believed were in violation of OSHA/MIOSHA Standards and Rules including insufficient tools for welding and the lack of Hazard signs as required by OSHA/MIOSHA.

11. In November 2023 Plaintiff reported suspected violations of rules, laws, regulations to MIOSHA.

12. Defendant, TWB knew Plaintiff complained to MIOSHA.

13. Following Plaintiff's complaint to MIOSHA Defendant TWB through its employees and agents began a campaign to get Plaintiff terminated in retaliation for his complaints to MIOSHA.

14. Beginning in early December 2023 Defendant began fabricating performance, and safety violations by Plaintiff in effort to have him terminated in retaliation for his complaints to MIOSHA.

15. Between December 6, 2023 and January 17, 2023 Defendant fabricated five workplace violations against Plaintiff.

16. On December 20, 2023 Plaintiff received a formal write-up for the fabricated issues and he was terminated on January 17, 2024.

17. Plaintiff's termination and the resulting loss of pay constituted an adverse employment action taken by Defendant against Plaintiff for his reporting the violations or suspected violations of laws, rules and/or regulations to MIMIOSHA.

18. Defendants' actions were intentional, or were carried out with deliberate indifference to Plaintiff's rights under state and federal laws.

COUNT I
VIOLATION OF MICHIGAN'S
WHISTLEBLOWERS' PROTECTION ACT

19. Plaintiff incorporates by reference paragraphs 1 through 18 as though fully set forth herein.

20. At all times, Plaintiff was an employee and Defendant TWB was his employer covered by and within the meaning of the Whistleblowers' Protection Act, MCLA 15.361, *et seq.*

21. Plaintiff engaged in a protected activity when he reported a violation or suspected violation of the law to MIMIOSHA, a public body.

22. Defendant TWB knew Plaintiff had filed the complaint of a MOISHA violation.

23. On or about October, Defendant TWB violated the Whistleblowers' Protection Act when it discriminated against Plaintiff regarding the terms, conditions and privileges of his employment by retaliating against her and demoted him because he reported a violation or suspected violation of a law, regulation, or rule of the United States of America, and opposed practices made illegal by the laws, regulations and rules of the State of Michigan and/or the United States of America.

24. Defendant TWB's actions were intentional.

25. As a direct and proximate cause of Defendant TWB's unlawful actions against Plaintiff, Plaintiff sustained, and will sustain in the future, injuries and damages, including, but not limited to, loss of earnings, loss of career opportunities, mental and emotional distress, loss of reputation and esteem in the community, and loss of the ordinary pleasures of everyday life, including the opportunity to pursue gainful occupation of choice.

WHEREFORE, Plaintiff respectfully requests judgment in his favor and against Defendant World of Faith, in an amount in excess of \$25,000.00, plus exemplary damages, together with costs, interest and attorney fees and any other relief this Honorable Court deems appropriate.

Respectfully submitted,

BATEY LAW FIRM, P.L.L.C.

By: /s/Scott P. Batey
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Dated: April 12, 2024

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DEMAND FOR JURY TRIAL

NOW COMES Plaintiff, Donald Kroeker, by and through his attorney's, Scott P. Batey and the Batey Law Firm, PLLC, and hereby demands a trial by jury on all issues allowed by law.

Respectfully submitted,

BATEY LAW FIRM, P.L.L.C.

By: /s/Scott P. Batey
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Dated: April 12, 2024